

HOW TO DO BUSINESS WITH USACE: GETTING THROUGH THE HOOPS



Presented by:

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Pittsburgh District

Aug 7, 2019

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What will we talk about?

How We Get The Word Out

Budget Quotes Discussion

The Nitty Gritty of It All – Submittals

Submitting Your Bid Or Offer

What Happens After Bid Opening

What Happens After Contract Award

Expectations During Performance

Final Completion & Payment

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HOW WE GET THE WORD OUT

We post all opportunities over \$25K to the Federal Business Opportunities website at least 15 calendar days before the solicitation is issued.

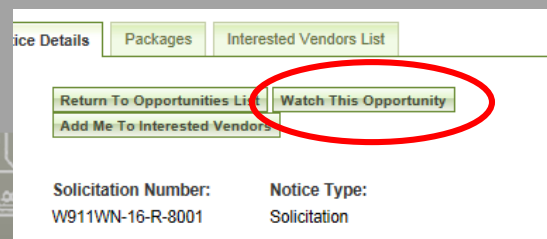


↓
www.fbo.gov

- Minimum of 30 day response time for larger projects, complexity dependent.

FBO is the **OFFICIAL** source for all procurements - plans, drawings, work statements, etc.

- Could be a delay in posting – make sure you “watch” the procurement.



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PRE-SOLICITATION NOTICE TO FBO



Content of notice – gives you enough information to enable you to decide whether to bid or not.


Who is buying?

What is the agency buying?

Set-aside Decision

Solicitation Number

Description of Requirement, etc...

 Facilities MATOC - Small Construction W911WN19R8000 Y – Construction of structures and facilities		Department of the Army U.S. Army Corps of Engineers USACE District, Pittsburgh	Presolicitation / Total Small Business	Mar 28, 2019
Solicitation Number: W911WN19R8000	Notice Type: Presolicitation	<p>“The U.S. Army Corps of Engineers, Pittsburgh District has a requirement to award up to three (3) Multiple Award Task Order Contracts for small construction projects located within the Pittsburgh District boundaries.”</p>		

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How we get the word out, cont'd

“Watch” the opportunity in FBO to get notified automatically when the solicitation appears, amendments are posted, or other relevant info is added. *Ex. Date of prebid site visit announcement, amendments posted, notices of other relevance*

- **FBO Keyword search for the buying activity code you wish to follow.** You can save this as a Search Agent after creating a login.
- **Search both Active & Archived announcements.** Some types auto-archive.
- **The written solicitation should be issued under the same number as the pre-solicitation announcement.**

Solicitation Number:
W911WN19R8000

Notice Type:
Presolicitation

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- Projects under \$25K - USACE also posts opportunities ranging **>\$10K - <\$25K** in FBO as Requests For Quotation using a combined synopsis/solicitation to ensure all companies have a fair opportunity to compete.

- No pre-solicitation notice required. The posting is the full notice and requirement documents. Is not required to be posted for 30 days.

- Must respond in the same manner as instructed in the official solicitation posted. *Ex. If it says no electronic submission, you CANNOT email it. You **must** respond even if you provided a budget estimate to someone already – this is not an official quote response.*

- Non-complex requirements may have a short response time. *This is why saving the agency as a search agent is so important.*

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THE TRUTH ABOUT BUDGET QUOTES

BUDGET QUOTES (BQ) (aka BUDGET ESTIMATES)—used by government field personnel to estimate the amount of money needed for a requirement so that funds can be allocated.

No procurement goes forward until it is -

1. Authorized

2. Funded

This could take some time!!

Once the requirement is in the hands of the Contracting Office, all contacts should be terminated with the original individual that contacted you or you could be disqualified from participating.

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The Truth About Budget Quotes

- ❖ Is **NOT** a guarantee that you will receive a contract, or improve your likelihood of getting a contract. You must compete with other companies.
- ❖ Is **NOT** considered an official response from a company to a public solicitation. The solicitation must be responded to in the manner it instructs in FBO or in the email received from an agency.
- ❖ May be outdated. The quote should be re-developed using the information in the official solicitation or there is a large risk that the quote could be missing something.
- ❖ Are typically lower due to missing cost elements; this causes issues in the funding and bidding process.

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WHY ARE BUDGET QUOTES HISTORICALLY LOW?

Costs that affect the accuracy of a budget quote...

- \$ Administrative burden – you might need to hire someone to help keep up with the paperwork and submittals, etc.
- \$ Experts and other required personnel – Safety, Quality Control and Site Supervision – most times cannot be dual hatted.
- \$ Specific licenses or certifications & needed to perform the work. You may need to hire someone with the needed qualifications.
- \$ Labor – you may need more people or a different mix of trades than you thought.

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More costs that affect the accuracy of a budget quote...

\$ MOST IMPORTANT! Mandatory Minimum Wages and fringe benefits apply.— each project contains specific minimum wages by trade and are applicable for the life of the project.

\$ There are different wage schedules for Construction projects and Service requirements. Which one applies?

\$ You must pay minimum wages on any Federal contract if it exceeds certain thresholds, no exceptions. Paying Federal minimum or Union wages is NOT satisfactory or in compliance with the law.

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RESPONDING TO THE SOLICITATION

In order to be eligible to submit an offer/quote/bid for a project, the company MUST be fully registered in **SAM** (System for Award Management) to include a CAGE and DUNS *on the date/time of submission of its offer*. Firms not yet active in SAM are ineligible – even if you were asked to submit a budget estimate for the work.

www.sam.gov

Remember: Registration in SAM is FREE. Don't pay a company to register for you. They will have access to your banking info as part of the registration.



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THE NITTY GRITTY OF IT ALL SUBMITTALS - THE BIGGEST HOOP.

What is a “Submittal,” anyway? (And why should I care??)

- A “**Submittal**” is a term that refers to anything the contractor is required to “submit” to the government for review at different times during the contract performance.
- Assembling submittals takes time. **\$ Time is money \$** If you don’t have a staff to do the paperwork, its an extra burden on you. Make SURE you can handle this administrative aspect.
- Solicitation/Contract will have a Submittal Schedule, a Register, and a Section on Submittals in the Specifications. You should submit exactly what it tells you, in the manner it requires, at the timeframe its needed for approval or review.

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EXAMPLES OF COMMON SUBMITTALS

- Material literature for approval
- Work plans (Accident (APP), Environmental (EPP) and Quality Control (QCP) – every construction contract needs these areas addressed.
- Bonds & Insurance, and others...
- Some submittals are tied to a payment item in the contract – you get paid for the item when you submit it successfully. Others are required “as you go.”

The schedule includes time to accomplish, but you must be diligent or time **will not** be your friend.

You!

Construction
schedule



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The Nitty Gritty of it all... Submittals - the biggest hoop.

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- ❖ Submittals are probably one of the most frequent areas of failure of a new contractor – both in **initial pricing** of the project and in miscalculation of how much time the administrative portion takes to accomplish.
- ❖ Not all Agencies or USACE Districts run their solicitations/contracts the same. Don't make assumptions! Treat each as if you've never seen one before.
- ❖ Submittals are often misinterpreted as “not important” to getting the work done. They ARE important!
- ❖ Many submittals required BEFORE you can even start working!

REMEMBER: for those submittals pertaining to post award issues (like the submission of your Safety Plan), the *Performance clock is still running!* The longer you take, the less time you have for boots-on-the ground.

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WHAT DO OUR SOLICITATIONS LOOK LIKE?



Construction Specifications Institute (CSI) Master Format

00010	Solicitation Contract Form
00100	Bidding Schedule/Instructions to Bidders
00600	Representations & Certifications
00700	Contract Clauses
00800	Special Contract Requirements

*We follow the format at left
for large construction projects.
For smaller ones, it may merely
contain a scope of work.
For Services, it's a Performance
Work Statement*

Other areas to consider when putting together your bid/offer -

- Specifications & Drawings – what you have to do...
- Call-outs in Scope/Drawings – specific instructions issued
- Submittals Required – things the Gov't wants to see...
- PWS Exhibits – Service requirements specific to the location of work
- A bid, no-bid decision is based on a **FULL** understanding of the project and your own capabilities. **You sign it, you own it.**

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SUBMITTING YOUR OFFER, QUOTE OR BID

- Instructions on how & where to submit your offer are in solicitation. Date due also posted on FBO.
 - Continue to watch FBO – may be extended, or even *cancelled*.
- If hand-delivered, bid must be physically dropped into bid box **before** bid opening time.



DO **NOT** SUBMIT BIDS IN ELECTRONIC FORMAT UNLESS THE SOLICITATION PERMITS.



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Public Bid Openings

Invitation For Bid's require a public bid opening; Bids recorded & apparent low bidder will be announced. You can attend this. Location, time, and place will be posted to FBO.

Once concluded, the Bid Abstract is posted to FBO before COB on the day of opening. You can see where you stood and if you're not the low bidder, you can use it to analyze what you could do better for next time, etc.

Non-Public Offer/RFQ Openings

RFP & RFQ are not opened publicly; low offeror is not announced. Only the notice of award will post to FBO.

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OK – Bids/Offers/Quotes are opened.

What happens next?



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POST BID/ PRE-AWARD ACTIVITIES

For each bid/offer received, it's checked for:

- ✓ SAM Registration completed prior to submission of bid/quote/offer.
- ✓ Reps & Certs included? Amendments signed? Bid Signed?
- ✓ Business Size (relative to set aside of solicitation)
- ✓ Active Exclusions (debarred or suspended?)
- ✓ Bid Bonds included, if required?
- ✓ Pricing mistakes, unbalanced pricing, or other informalities

Any non-responsiveness found needs further evaluation



You could be tossed out! So check, check & re-check before you send!

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SUCCESSFUL BIDDER DETERMINED

**YOU are the low bidder or
otherwise found to be the
successful offeror after
proposal evaluation!!!**

WHAT'S NEXT??

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PRE-AWARD SURVEY

Before you can be awarded the contract, a Pre-award Survey is done. We check things like -

Financial information and ability to perform the contract, technical capabilities, resources (capital, money, equipment), key personnel, experience, & reputation/integrity, etc.

Past Performance (Past Performance Information Retrieval System-PPIRS is used to find ratings on previous gov't work.)

FAPPIS used to see if company is suspended or debarred.



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SUCCESSFUL BIDDER DETERMINED



YOU GOT THE CONTRACT!!!

What do I do now??

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POST AWARD ADMINISTRATIVE NEEDS



What happens now?

- Construction Contracts -

Successful bidder requested to submit Performance and Payment Bonds within 10 days after Notice of Award.

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Written Notice to Proceed (NTP) issued once acceptable Performance and Payment Bonds received & approved. NTP must be accepted within 10 days after receipt.

10

Your performance time clock has started.

You must begin performance within 10 days after signing acceptance of the NTP. This means your submittal time...

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POST AWARD ADMINISTRATIVE NEEDS, CONT'D

If you do not sign NTP within 10 days the Government can determine a date of acceptance for you. It doesn't stop the time clock.

- *NOTE: the completion date is set based on the date you accepted the Notice to Proceed. If performance period is 60 calendar days after NTP, 60 days are added to that date to arrive at the contract completion date. It is not based on the date you started work or the date of the contract award. The official completion date will be communicated to the contractor.*

Contract performance schedules are established to allow a reasonable time for submittal of the Safety, Environmental & QC plans and any material submittals required.

Physical work and ordering of materials cannot begin until the plans are approved and material submittals have been reviewed and approved.



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Pre-Work Conference

Description of work
Bid schedule
Accident Prevention &
on-site safety
Execution of work
Schedule & work hours
Security and Insurance
requirements
Labor requirements
Warranties
Payments

Normally held within 7 days after approval of QC and Safety Plans. Superintendent, and QC & Safety personnel must attend.

Primarily held on small, less-complex projects.

Ensures contractor and government are on the same page.

Services Pre-Work conferences are similar – bring QC & Safety Plans with you.

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POST AWARD ADMINISTRATIVE NEEDS, CONT'D

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Materials approved must be the ones ordered. Any deviation needs approved by the contracting officer; any dollars saved is expected to be credited to the contract price.

NO BAIT AND SWITCH!



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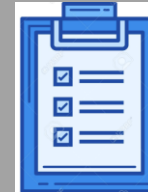
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Post Award administrative needs, cont'd

Ok – you've finally started to do the actual work. Now What?

- Work progresses according to any schedule and in the manner expected in the contract. (*Scope or PWS*)
- For Construction projects, payrolls are required to be submitted every 15 days; Progress reports are also required every 15 days (for longer projects). *Services are n/a.*
- You must be substantively complete with the physical work by the completion date set for the contract (*construction*).
- Final contract submittals due before you can be paid your final payment. (Red-Line as built drawings, warranty certificates, test reports, final payrolls, etc.) (*construction/service*)



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THE NITTY GRITTY...

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How do I get Paid?:

labor, materials,
equipment mobilization
administrative compliance
actually performing all work

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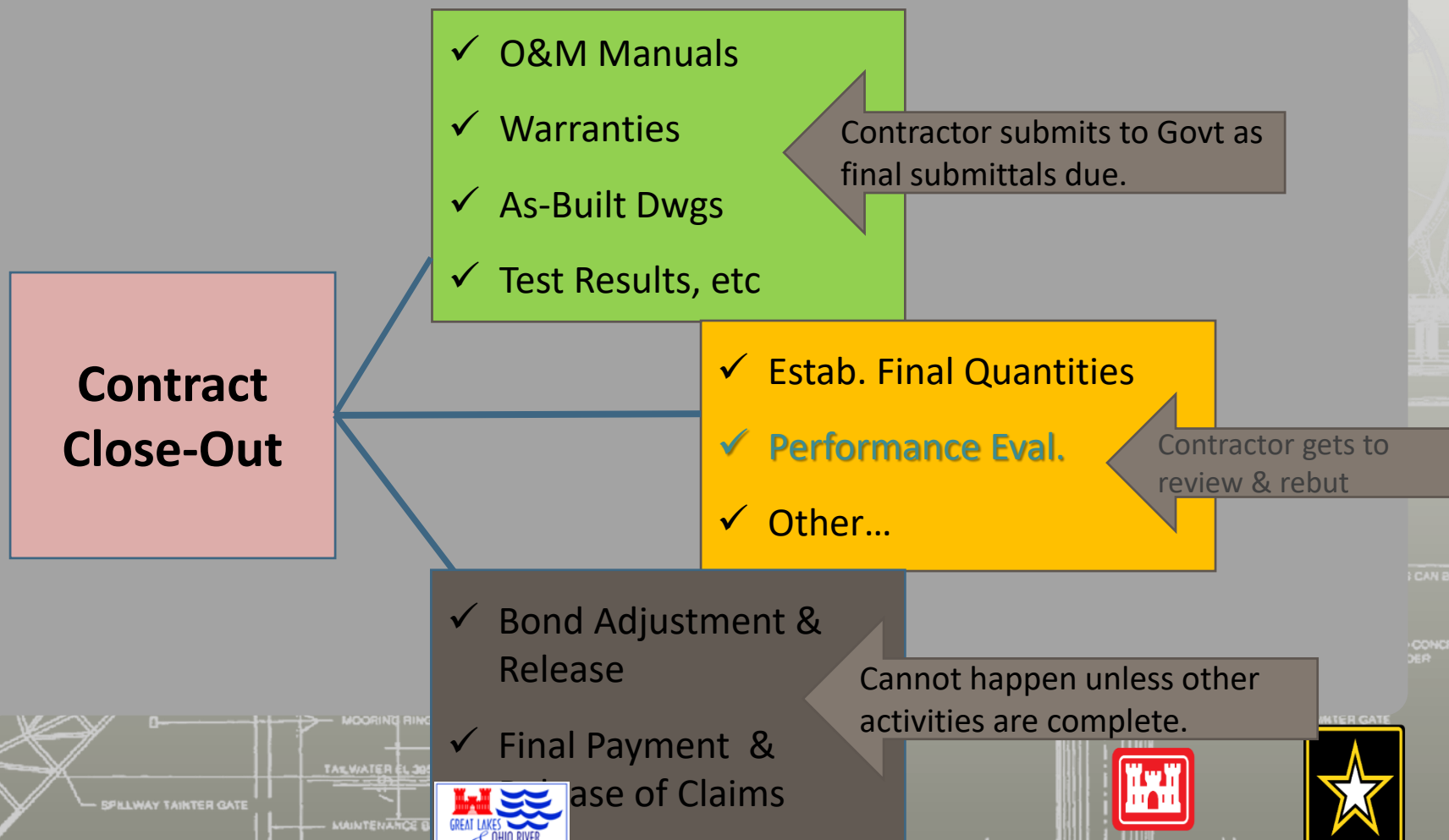


FINAL CONSTRUCTION COMPLETION ACTIVITIES

ORANGE = GOVERNMENT ACTIVITIES

GREEN = CONTRACTOR ACTIVITIES
ACTIVITIES

BLUE = GOV/CONTR MUTUAL



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QUESTIONS?

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Pittsburgh District 18 April 2019

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